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3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
4 **OF THE STATE OF WASHINGTON**

5 IN RE COMPLIANCE
6 WITH RCW 42.17

7 DEMOCRATIC PARTY OF OREGON

8 Respondent.

) PDC CASE NO.: 03-068
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)

) **FINAL ORDER IMPOSING FINE**
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9 **INTRODUCTION**

10 The Washington State Public Disclosure Commission (Commission) conducted an
11 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
12 October 29, 2002 with respect to the above-encaptioned matter. The Commission held the
13 hearing at Evergreen Plaza Building, Room 206, 711 Capitol Way South, in Olympia,
14 Washington. The Respondent was represented at the hearing by Joseph E. Sandler,
15 Counsel. The Staff appeared through Susan Harris, Assistant Director. The Commission
16 held the hearing to determine whether the Respondent violated RCW 42.17.090(1)(l) by
17 failing to file PDC form C-5 within 10 days of the receipt of the Respondent's contribution
18 to the Washington State Democratic Central Committee.
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20 During the hearing, the Staff presented, for the Commission's consideration, the
21 parties' Stipulation of Facts and Violation dated October 29, 2002. The Respondent
22 stipulated that the Respondent committed a single violation of RCW 42.17.090(1)(l). The
23 parties' Stipulation is attached to this Order and is incorporated herein by reference. The
24 parties were unable to jointly recommend an appropriate penalty for Commission
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1 consideration. The Commission heard oral argument from the parties concerning an
2 appropriate penalty.

3 **ORDER**

4 Based on the record submitted in this matter, the Commission orders as follows:

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- 6 1. That the Stipulation of Facts and Violation is accepted;
 - 7 2. That the Respondent committed a single violation of RCW 42.17.090(1)(l);
 - 8 3. That a total civil penalty of \$1,000 is assessed against the Respondent;
 - 9 4. That \$500 of the penalty is suspended on the condition that the Respondent commits no
10 further violations of RCW 42.17 for a period of four years from the date of the order.

11 **RECONSIDERATION**

12 Any party may ask the Commission to reconsider this final order. Parties must
13 place their requests for reconsideration in writing, include the specific grounds or reasons
14 for the request, and deliver the request to the Public Disclosure Commission Office within
15 TEN (10) days of the date that the Commission serves this order upon the party. Pursuant
16 to RCW 34.05.470(3), the Public Disclosure Commission is deemed to have denied the
17 petition for reconsideration if, within twenty (20) days from the date the petition is filed, the
18 Commission does not either dispose of the petition or serve the parties with written notice
19 specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470(5), the
20 Respondent is not required to ask the Public Disclosure Commission to reconsider the final
21 order before seeking judicial review by a superior court.

22 **APPEAL RIGHTS**

23 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
24 Commission is subject to judicial review under the Administrative Procedures Act, chapter

1 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed
2 with the superior court in Thurston County or the petitioner's county of residence or
3 principal place of business. The petition for judicial review must be served on the Public
4 Disclosure Commission and any other parties within 30 days of the date that the Public
5 Disclosure Commission serves this final order on the parties.
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7 If reconsideration is properly sought, the petition for judicial review must be served
8 on the Public Disclosure Commission and any other parties within thirty (30) days after the
9 Commission acts on the petition for reconsideration. The Commission will seek to enforce
10 this final order in superior court under RCW 42.17.395-397, and recover legal costs and
11 attorney's fees, if the penalty remains unpaid and no petition for judicial review has been
12 filed under chapter 34.05 RCW. This action will be taken without further order by the
13 Commission.
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15 DATED THIS 7th day of November, 2002.

16 FOR THE COMMISSION:

17 /s/
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VICKI RIPPIE, Executive Director
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